

REMARKS

The Examiner is thanked for the due consideration given the application.

Claims 1-5 and 22-29 are pending in the application. Claims 1-4, 6 and 9-12 have been amended, support for which can be found in paragraph 0031 of the specification. Claims 22-29 are newly presented. New independent claim 24 generally sets forth subject matter from claims 1 and 3. New independent claim 27 generally sets forth subject matter from claims 1 and 2. Support for new claims 22, 25 and 28 can be found in paragraph 0031 of the specification. Support for new claims 23, 26 and 29 can be found in paragraph 0040 of the specification.

No new matter is believed to be added to the application by this amendment.

Rejection Under 35 USC §112, Second Paragraph

Claim 1 has been rejected under 35 USC §112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention. This rejection is respectfully traversed.

The Office Action asserts that it is unclear what structurally defines an absorbent. However, this limitation has been clarify to set forth an "absorbent sheet," which is clear.

Claim 1 is thus clear, definite and has full antecedent basis.

This rejection is believed to be overcome, and withdrawal thereof is respectfully requested.

Rejection Under 35 USC §102 (e)

Claims 1-14 have been rejected under 35 U.S.C. 1 02(e) as being anticipated by Nakanishi et al. (PGPUB 2004/0229093). This rejection is respectfully traversed.

The present invention pertains to a fuel cell that is exemplarily illustrated by Figure 1 of the application, which is reproduced below.

FIG. 1

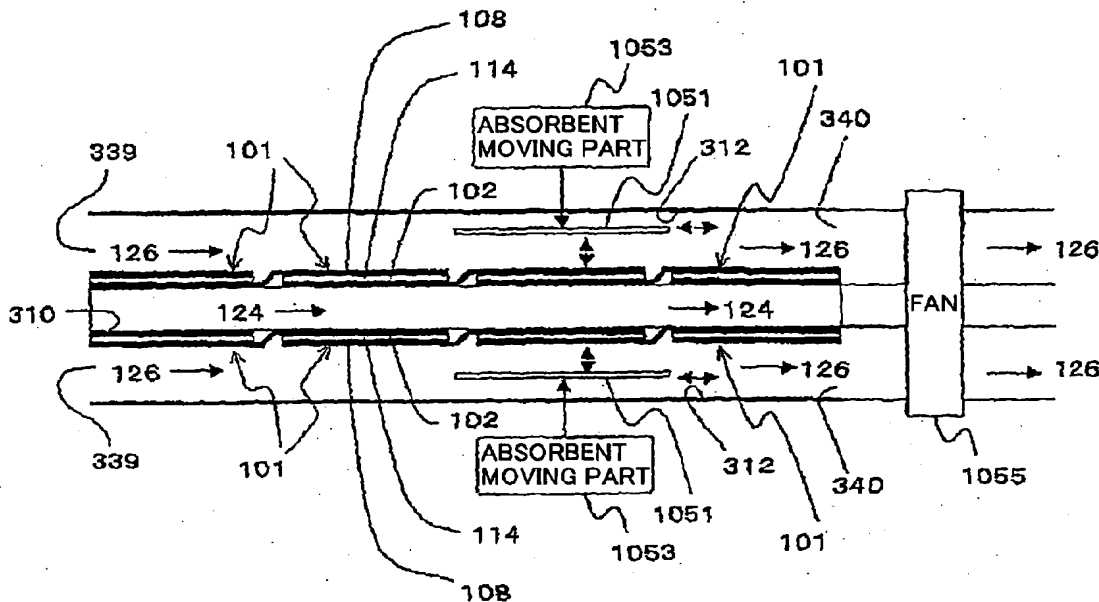
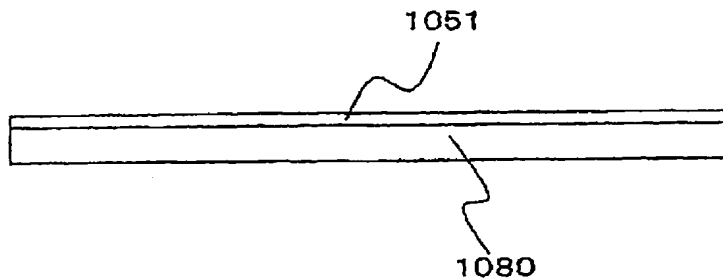


Figure 1 shows a unit cell 101 with a fuel electrode 102 and an oxidant electrode 108. An absorbent moving part 1053 supports an absorbent sheet 1051 such that the absorbent sheet 1051 approaches to and departs from a vicinity of the oxidant electrode 108.

The absorbent sheet 1051 of the present invention can be formed from a thin fabric that is supported by a support plate 1080, such as is shown in Figure 3 of the application, which is reproduced below.

FIG. 3



Nakanishi et al. pertains to a fuel cell system. The Office Action refers to water absorbing members 70 arranged outside the oxidizing gas conduits 36. These members are attached to a roller 74 and rotated to approach and depart from the electrode (Abstract, Figure 3). The absorbent is rotated to the other side of the roller to be dried (Figure 4). Figures 3 and 4a of Nakanishi et al. are reproduced below.

FIG. 3

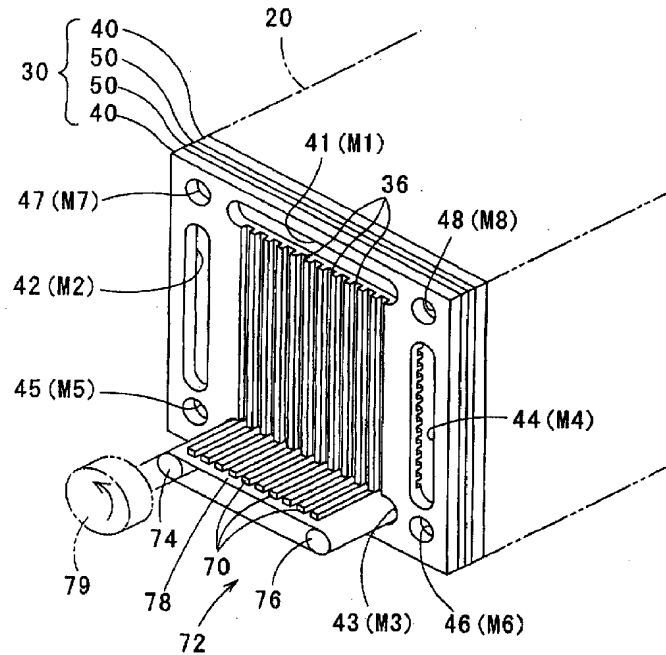
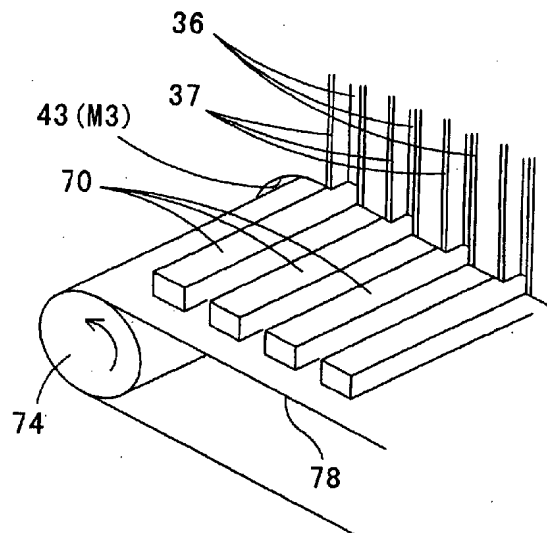


FIG. 4

(a)



But as is clear from the drawing figures of Nakanishi et al. (especially Figure 4a) the "outer conduit absorbing

members 70" (see paragraph 0025) are rectangular **blocks** and not a **sheet** (as in the present invention). Indeed, paragraph 0025 of Nakanishi et al. teach the use of multiple outer conduit absorbing members 70 coming in contact with multiple oxidizing gas conduits 36.

There is thus no teaching or inference of an absorbent sheet, such as is set forth in the present invention.

Nakanishi et al. thus do not teach or infer each and every limitation of claim 1 of the present invention. Nakanishi et al. accordingly does not anticipate claim 1 of the present invention. Claims depending upon claim 1 are patentable over Nakanishi et al. for at least the above reasons.

This rejection is believed to be overcome, and withdrawal thereof is respectfully requested.

New Claims 22-29

New claims 22-29 have been newly presented for consideration on the merits. It is believed that these newly presented claims are instantly patentable for at least the above reasons.

Conclusion

The Examiner is thanked for considering the Information Disclosure Statement filed May 3, 2010 and for making the references therein of record in the application.

Prior art of record but not utilized is believed to be non-pertinent to the instant claims.

As no issues remain, the issuance of a Notice of Allowability is respectfully solicited.

The Commissioner is hereby authorized in this, concurrent, and future submissions, to charge any deficiency or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/Robert E. Goozner/
Robert E. Goozner, Reg. No. 42,593
Customer No. 00466
209 Madison Street, Suite 500
Alexandria, VA 22314
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

REG/jlw